

Application No. 10/589,313
Current Response Dated 2-16-11
Replacing Prior Amendment Dated February 8, 2011
Reply to Office Action Dated November 9, 2010

Remarks

Claims 1-8 are pending.

Claims 1-8 are amended.

Claims 1-8 are submitted herein for review.

No new matter has been added.

In the Office Action, the claims are rejected under 35 U.S.C. 112 because the specification does not enable "an ophthalmic lens for forming an ophthalmic display, said ophthalmic lens comprising an ophthalmic imager." Applicants have amended the claims accordingly and request that this rejection be withdrawn. The amended claims are directed to an ophthalmic display comprising an ophthalmic spectacle lens and an optical imager.

Claims 1 and 3-6 are rejected under 35 U.S.C. 112 as being indefinite with regard to "in association with markings." Applicants have amended the claims accordingly and therefore request that this rejection be withdrawn. The amended claims are directed to markings *for* referencing. These markings can be engraved in the lens, stamped on the lens, or on a medium carrying the markings such as a label associated with one or more lenses. The application is directed to markings detailing referencing information, not markings and additional information.

The Examiner has objected to the claims based on informalities. Applicants have amended the claims accordingly and request that these objections be withdrawn.

Turning to the prior art rejections, the Examiner has rejected claims 1-8 under 35 U.S.C. 102(b) as being anticipated by WO 01/06298. Applicants respectfully disagree with the

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Examiner's assertion and submit the following remarks in response.

Independent claim 1 is directed to a display comprising an ophthalmic spectacle lens and an optical imager for shaping light beams and directing them towards the eye of the wearer so as to enable information content to be viewed. The optical imager is secured to the ophthalmic spectacle lens. The ophthalmic spectacle lens has markings for referencing for the position of the imager relative to the ophthalmic spectacle lens in order to correctly secure the imager on said ophthalmic spectacle lens.

The cited prior art, namely, WO 01/06298 discloses an ophthalmic display including an ophthalmic lens 1514 and a micro-optical display 1515 (Figure 15), so as to enable information content to be viewed. The micro-optical display is secured to the lens. The micro-optical display is marked with an astigmatic axis 1511 connecting two axis markings 1513. The object is to provide corrective power to the micro-optical display which can be independent of the spectacle lens.

The Examiner asserts that the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. However, this is not the case with regard to the present application. Claim 1 is directed to a spectacle lens comprising markings for referencing for the position of the imager relative to the spectacle lens in order to correctly secure the imager on the ophthalmic spectacle lens. The spectacle lens described in the cited prior art does not satisfy the claimed structural limitations. In the prior art, the markings are supported by the micro-optical

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display (i.e. optical imager) and not by the spectacle lens to which the micro-optical display is secured.

According to the cited prior art, as represented in Figure 15, the micro-optical display is positioned in the field of vision of the user and is configured to correct a portion of the refractive error of the user. For this correction, *the micro-optical display is provided with markings*. While according to the present invention as claimed, *the spectacle lens is provided with markings* for referencing for the position of the imager relative to the spectacle lens, in order to correctly secure the imager on the spectacle lens.

Applicants submit that the cited prior art does not teach or suggest all of the elements of claim 1. For example, there is no teaching or suggestion of *an ophthalmic spectacle lens comprising markings for referencing for the position of said imager relative to said ophthalmic spectacle lens in order to correctly secure said imager on said ophthalmic spectacle lens*.

For at least this reason, Applicants submit that the prior art reference does not teach or suggest all of the elements of independent claim 1 and request that the rejection of independent claim 1 be withdrawn accordingly. As claims 2-8 depend from claim 1, these claims should be allowed for at least the same reason.

In view of the foregoing, Applicants respectfully submit that pending claims 1-8 are in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that an interview would facilitate the prosecution of this Application she is

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invited to contact the undersigned at the number listed below.

Respectfully submitted,

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